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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER PATTERSON,

Defendant.

CASE NO. 1:20-cr-107-ADA-BAM

STIPULATION TO VACATE STATUS
CONFERENCE AND SET TRIAL
DATE; FINDINGS AND ORDER

DATE: July 26, 2023
TIME: 1:00 p.m.
JUDGE: Hon. Barbara A. McAuliffe

STIPULATION

The United States of America, by and through its counsel of record, and defendant, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on July 26, 2023 at 1:00 p.m. before Magistrate Judge McAuliffe.

2. By this stipulation, the parties now move to vacate the status conference and set the matter for jury trial as to defendant Christopher Patterson for **January 17, 2024, at 8:30 a.m.**, and to exclude time between the date of this stipulation and January 17, 2024 under 18 U.S.C. §§ 3161(h)(1)(D), 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

3. The parties agree and stipulate, and request that the Court find the following:

1 a. The government has represented that the discovery associated with this case,
2 including investigative reports and related documents, has been either produced directly to counsel
3 and/or made available for inspection and copying. Furthermore, the government made a plea offer
4 to defendant Patterson, which was rejected in favor of a jury trial. The defendant requests a trial date
5 of January 17, 2024, to allow adequate time for investigation and trial preparation. The government
6 joins in the request for this trial date.

7 c. By previous Court order, time was excluded under the Speedy Trial Act, 18 U.S.C. §
8 3161, et seq., through and including July 26, 2024 for *inter alia* further investigation and
9 preparation. The parties further request that time be excluded under the Speedy Trial Act, 18 U.S.C.
10 § 3161, et seq., from the date of this stipulation through and including January 17, 2024, to allow the
11 defendant to continue to consult with counsel, to further review discovery, conduct further
12 investigation, and fully prepare for trial.

13 d. Counsel for defendant believes that failure to grant the above-requested
14 continuance/time exclusion would deny him the reasonable time necessary for effective preparation,
15 taking into account the exercise of due diligence.

16 e. The government does not object to, and agrees to, the continuance/time exclusion.

17 f. Based on the above-stated findings, the ends of justice served by continuing the case
18 as requested outweigh the interest of the public and the defendant in a trial within the original date
19 prescribed by the Speedy Trial Act.

20 g. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et
21 seq., within which trial must commence, the time period of the date of this stipulation to January 17,
22 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(1)(D), 3161(h)(7)(A) and
23 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at defendant's
24 request on the basis of the Court's finding that the ends of justice served by taking such action
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1 outweigh the best interest of the public and the defendant in a speedy trial.

2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of
3 the Speedy Trial Act dictate that additional time periods are excludable from the period
4 within which a trial must commence.

5 IT IS SO STIPULATED.

6 DATED: July 17, 2023

7
8 /s/David Torres
9 DAVID TORRES
10 Counsel for Defendant
11 CHRISTOPHER PATTERSON

12 DATED: July 17, 2023

13 /s/ Henry Z. Carbajal III
14 HENRY Z. CARBAJAL III
15 Assistant United States Attorney

16 **ORDER**

17 IT IS SO ORDERED that the status conference set for July 26, 2023, is vacated. A jury trial is
18 set for **January 17, 2024, at 8:30 a.m. before District Judge Ana de Alba**. Estimate time of trial is
19 **3-4 days**. A trial confirmation is set for **January 2, 2024, at 8:30 a.m. before District Judge Ana**
20 **de Alba**. Time is excluded through trial pursuant to 18 U.S.C. §§ 3161(h)(1)(D), 3161(h)(7)(A) and
21 3161(h)(7)(B)(i) and (iv).

22 IT IS SO ORDERED.

23 Dated: **July 18, 2023**

24 /s/ *Barbara A. McAuliffe*
25 UNITED STATES MAGISTRATE JUDGE
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